United Nations A/C.1/49/PV.22

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Official Records

First Committee
22nd Meeting
Thursday, 17 November 1994, 10.30 a.m.
New York

Chairman: Mr. Valencia Rodriguez . . . . . (Ecuador)

The meeting was called to order at 11 a.m.

Agenda items 68 to 73 and 153 *(continued)*

Action on draft resolutions submitted under all disarmament and international security agenda items

The Chairman: This morning we shall proceed to take decisions on the draft resolutions contained in clusters 1, 5 and 7 — namely, draft resolutions A/C.1/49/L.11/Rev.1, L.28, L.31, L.36, L.21, L.7/Rev.1 and L.49/Rev.1.

I now call upon the Secretary of the Committee.

Mr. Kheradi (Secretary of the Committee): I should like to inform the Committee that the following countries have become co-sponsors of the following draft resolutions: Mauritania, draft resolution A/C.1/49/L.11/Rev.1; Italy and Belgium, draft resolution A/C.1/49/L.22/Rev.1; Italy, draft resolution A/C.1/49/L.44/Rev.1.

The Chairman: I call upon the representative of the Islamic Republic of Iran, who wishes to speak in explanation of vote.

Mr. Moradi (Islamic Republic of Iran): I should like to explain my delegation's vote on draft resolution A/C.1/49/L.11/Rev.1, "The risk of nuclear proliferation in the Middle East", submitted under agenda item 65, "Israeli nuclear armament". This year the sponsors decided to change the traditional title of the draft resolution without giving us adequate reasons.

Despite repeated calls by the General Assembly on Israel to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and to put its nuclear-weapons programme under International Atomic Energy Agency (IAEA) safeguards, there has been no change in Israel's position in this respect. We now see that, despite that refusal, substantive changes have been introduced into the text of the draft resolution, namely, into its title.

I would recall that a majority of the States in the region are parties to the NPT and have safeguards agreements with the IAEA. The only menace in the region comes from Israel's nuclear-weapons programme.

Therefore, my delegation expresses its regret at the new changes introduced into the draft resolution. We express our strong reservations about the title of the draft resolution and paragraph 4. We consider that these changes reward a regional nuclear proliferator that has rejected repeated calls by the General Assembly to accede to the NPT and to place its nuclear-weapons programme under IAEA safeguards.

I also wish to express our strong reservations about the fifth preambular paragraph, which refers to the so-called "Middle East peace process". We believe that the so-called peace process will not lead to the full restoration of the inalienable rights of the Palestinian people or to the establishment of a lasting, just and comprehensive peace in the region.

The Chairman: The Committee will have adequate time for explanations of vote or position before action is taken on each of the draft resolutions. For the moment,

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delegations should confine themselves to explaining their votes or positions on texts on which the Committee has already taken action.

Ms. Duncan (New Zealand): I would like to speak in explanation of vote on behalf of New Zealand and Australia, in relation to draft resolution A/C.1/49/L.9/Rev.1, on the Amendment Conference of States Parties to the partial test-ban Treaty. The Committee approved the draft resolution yesterday.

It was with regret that New Zealand and Australia abstained in the vote on the draft resolution. We attach the highest priority to the early conclusion of a comprehensive nuclear-test-ban treaty. Over the years we have worked for progress on nuclear-testing issues, including at the 1991 substantive session of the partial test-ban Treaty Amendment Conference and at subsequent meetings of States parties convened by the President of the Conference, Mr. Alatas, Minister for Foreign Affairs of Indonesia.

The focus of the international community has now moved to the Conference on Disarmament, where work is well under way on a comprehensive test-ban treaty. In draft resolution A/C.1/49/L.9/Rev.1 the General Assembly would note with satisfaction the initiation of these multilateral negotiations. New Zealand and Australia had hoped that this year's draft resolution would take these negotiations as a point of departure and look ahead to the role that the partial test-ban Treaty Amendment Conference might play once a comprehensive test-ban treaty has been concluded and in preparation for its entry into force.

We were therefore disappointed that draft resolution A/C.1/49/L.9/Rev.1 seemed to contemplate the possibility of substantive work towards a comprehensive test-ban treaty taking place within the process of the Amendment Conference. Our hope remains that future draft resolutions on this subject will merit the same strong support as the text on a comprehensive test-ban treaty, on which the Committee will be taking action before the conclusion of this session. We believe that this would be the most constructive way to encourage the Geneva negotiations and ensure that rapid progress is made there and that a treaty is concluded without delay. That is the goal we all share.

The Chairman: Before the Committee proceeds to take decisions on draft resolutions in the clusters to which I referred earlier, I shall call on delegations wishing to introduce draft resolutions.

(spoke in Spanish)

In that connection, I wish on behalf of the delegations that make up the Bureau of the Committee — Austria, Japan, South Africa and Ecuador — to introduce draft resolution A/C.1/49/L.49/Rev.1, "Rationalization of the work and reform of the agenda of the First Committee".

As members know, the Bureau wished from the outset to carry out an experiment, with informal consideration of specific agenda items following the formal general debate, in accordance with paragraph 2 of resolution 48/87. The purpose of that second phase was to enable delegations, in an informal, cordial and candid atmosphere, but with full conference services, to engage in a dialogue setting out their respective positions, establishing points of contact, and identifying differences requiring additional consultations and negotiations. The Committee's officers felt that this first trial was satisfactory; while in some instances there was some repetition of the general debate, the work of delegations was facilitated, particularly with respect to the preparation of draft resolutions.

Members will recall that the Committee devoted two meetings to the question of the rationalization of the work of the Committee and to consideration of a first draft resolution prepared by the members of the Bureau. Considerable informal consultations ensued with the participation of delegations most interested in the issue; these were open to all interested delegations.

The result of this endeavour was the submission of a draft resolution, to which many delegations made significant contributions that have been taken up by the sponsors. The final version appears in document A/C.1/49/L.49/Rev.1, which I am now introducing.

As delegations will appreciate, the draft is based on the Committee's experience of previous years as well as on the results of the first trial, to which I referred earlier. The five phases established in operative paragraph 1 are the ones that have been clearly set out now in our work.

Operative paragraph 2 is also based on the Committee's experience in the course of its present session. I wish particularly to stress that the key point is that the draft is provisional; it is designed to reflect the real state of affairs in the Committee. There is no resolution on any item, however solemn it may appear, that is set in stone for all time. In addition to this provisional nature is the flexibility that we need to apply to our work. This is underscored in various parts of the draft resolution, in

particular in operative paragraphs 3 and 4, which are based on operative paragraph 3 of resolution 48/87.

The delegations of Austria, Japan, South Africa and Ecuador are convinced that once this draft, which is self-explanatory, is adopted by the General Assembly it will make a positive contribution to the work of the Committee at its fiftieth session. We therefore trust that it will be adopted without a vote.

Mr. Tanaka (Japan): I should like to introduce draft resolution A/C.1/49/L.33/Rev.1, entitled "Nuclear disarmament with a view to the ultimate elimination of nuclear weapons".

As a result of intensive consultations with interested delegations, we believe that the revised text provides grounds for broader support, and we appeal to all delegations to consider it favourably.

Mr. Ledogar (United States of America): I wish to comment on draft resolution A/C.1/49/L.34/Rev.1, entitled "Convening of the fourth special session of the General Assembly devoted to disarmament".

The United States supports in principle the convening of a fourth special session on disarmament. We believe that the appropriate consultations should take place in order to prepare for a productive special session. In this regard, we note the deliberate and multi-year procedure pursued to prepare for past special sessions, procedures which were supported by consensus. With this consideration in mind, the United States is proposing an amendment to draft resolution A/C.1/49/L.34/Rev.1. Since it will take some time for the Secretariat to produce the amendment in writing, I will describe it orally.

The amendment would first delete "central" in the fourth preambular paragraph. Then it would replace the current wording of operative paragraph 1 to read as follows:

> "Decides in principle to convene a fourth special session of the General Assembly devoted to disarmament at an appropriate date, to be determined following consultations".

Our amendment would then proceed to delete operative paragraphs 2 and 3.

The amendment is being submitted to the Secretariat this morning. It is co-sponsored by Belgium, Canada, Denmark, Finland, France, Iceland, Ireland, Italy, Japan, Norway, Portugal, Turkey, the United Kingdom and, of course, the United States. We understand that the Secretariat will assign document number A/C.1/49/L.52 to this amendment.

The Chairman: I shall now call on those delegations wishing to make statements other than in explanation of their position on draft resolutions.

Mr. Tayeb (Saudi Arabia) (*interpretation from Arabic*): My delegation wishes to make a few comments on the draft resolution contained in document A/C.1/49/L.11/Rev.1, entitled "The risk of nuclear proliferation in the Middle East".

Saudi Arabia is one of the sponsors of this draft resolution, since nuclear proliferation in our region represents a major danger — a frightful spectre that hangs over the lives of the region's peoples and poses a threat to international peace and security. I have asked to speak in order to reaffirm that the positive developments and the peace process in the Middle East — in which my country is a full participant — have not been accompanied, despite what many of us would have imagined, by any tangible steps towards nuclear disarmament in the Middle East, owing to Israel's continuing refusal to deal with this issue in a practical, objective and pragmatic manner within the framework of the peace process in the Middle East.

That is a posture that not only contradicts the peaceful climate that has been engendered in the region, but also poses a major obstacle to the achievement of a comprehensive, just and durable solution to the region's problem. It cannot be imagined that a comprehensive, just and lasting peace could be established in the region with the existing imbalances in regional security and the monopoly by one country of so many major military advantages.

It is only natural, in view of the existing dichotomy between the peace process and the issue of nuclear disarmament in the Middle East region, that the matter should be brought to this Committee. It is only normal, therefore, to appeal to Israel, as the only country in the Middle East that possesses advanced nuclear capabilities without any international guarantees, to accede to the Treaty on the Non-Proliferation of Nuclear Weapons and to place all its nuclear facilities under the safeguards regime of the International Atomic Energy Agency.

This important and fundamental measure is an absolute necessity for confidence-building and for ensuring the security of the region.

Ms. Zachariah (Malaysia): I should like to make a statement on draft resolution A/C.1/49/L.36, entitled "Request for an advisory opinion from the International Court of Justice on the legality of the threat or use of nuclear weapons".

Malaysia would welcome an advisory opinion on the legal status of the use of nuclear weapons, as it desires world order and legal clarity on the question of the use of nuclear weapons.

Although the rule of international law and knowledge of the law may appear unimportant to the nuclear Powers, it is indispensable to the community of smaller nations, which feel insecure and vulnerable in a world in which stated threats of nuclear annihilation are apparently allowed to exist in a legal no-man's land.

The Government of Malaysia believes that no human catastrophe in the history of mankind can be compared to the consequences of a nuclear war. An understanding of the catastrophic levels of destruction, death and irremediable suffering as a result of an explosion of a single nuclear warhead near a populated area compels only one conclusion: no such explosion must ever happen, whether by accident, through a terrorist act or in war.

Although the end of the cold war has considerably reduced the chances of a global nuclear war, the nuclear-weapon States still subscribe to the strategy of nuclear deterrence. In the present post-cold-war climate, the legal opinion of the International Court of Justice could make an important contribution to the realization of a nuclear-weapons-free world. It could not replace nuclear disarmament initiatives, but it could provide the legal and moral parameters within which such initiatives could succeed.

Mr. Sy (Senegal) *(interpretation from French):* My delegation proposes that the Committee postpone consideration of draft resolution A/C.1/49/L.36, on the legality of the threat or use of nuclear weapons in order to enable delegations to continue their consultations.

Mr. Hasan (Iraq) *(interpretation from Arabic):* The draft resolution contained in document A/C.1/49/L.11/Rev.1 does not meet even the minimum of the concerns of the countries of the region regarding such a serious problem as Israeli nuclear armament.

Reference to the previous United Nations resolutions on the subject has been deleted from the draft. The draft resolution, in equating Israel's position with that of the other countries in the region which have not yet acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), ignores the fact that those countries do not have any nuclear installations, whereas Israel has at least 200 nuclear warheads, according to the most modest of estimates, the latest of which was published by Jane's *Intelligence Review* in its last issue.

The draft resolution makes no reference at all to Security Council resolution 487 (1981), in which the Council called upon Israel to place its nuclear facilities under the safeguards regime of the International Atomic Energy Agency, nor does it mention paragraph 14 of Security Council resolution 687 (1991), wherein the Council considered the steps taken by Iraq in the area of arms limitation as important steps towards making the Middle East a nuclear-weapon-free zone.

The draft also substituted for the original title of the item a new title which does not reflect the specificity of the Israeli nuclear threat to the States of the region.

Finally, my delegation wishes to express its reservations on a reference in the fifth preambular paragraph of the draft resolution, which prejudges negotiations that are now under way in the region.

None of last year's developments indicated any intention on the part of Israel to reconsider its position regarding the nuclear non-proliferation regime. The international community should deal with the dangers of nuclear proliferation with one single standard that does not distinguish between extreme East Asia and extreme West Asia.

Mr. Larrain (Chile) *(interpretation from Spanish)*: I support the proposal by the representative of Senegal that discussion of draft resolution A/C.1/49/L.36 be deferred so as to give time for further consultation.

The Chairman: I will now call on those delegations wishing to explain their vote before the voting.

Mr. Yativ (Israel): It had been Israel's hope and expectation that the outstanding developments in the peace process in the Middle East would leave a positive mark on

the Committee's deliberations and resolutions at the current session. We had hoped that this year the obsolete draft resolution under agenda item 65, "Israeli nuclear armament", would not be submitted. To our dismay, and to the dismay of other peacemakers, this did not happen.

The draft resolution contained in document A/C.1/49/L.11/Rev.1, entitled "The risk of nuclear proliferation in the Middle East", takes us back, both in caption and content, to the old norms, which do not befit either the spirit or the actual new political reality evolving in our region.

I also wish to make some observations in reference to the presentation made in connection with this draft resolution. It is well known that the draft resolution was conceived years ago and was retained over the years for political purposes. It had no other purpose, since its substance appears in the resolution on the establishment of a nuclear-weapon-free zone in the Middle East, including the call to join the non-proliferation Treaty. It still has but one purpose: to perpetuate, directly or indirectly, the arraignment of Israel in this Committee.

An attempt was made to convince the Committee that the draft resolution did not single out Israel. That argument will not stand up to simple scrutiny, and there is no doubt that the State of Israel is once again being blatantly singled out for censure. The singling out of Israel is ill conceived and certainly not conducive to the building of confidence, to which the sponsors are ostensibly committed.

It will be recalled that Israel is still faced with tremendous security problems. A number of States still deny its legitimacy, and do not agree to negotiate peace. Therefore, the right equation for security and peace is not "total equality", which cannot be reached, because of the structural asymmetries of Middle East realities; security and peace are to be arrived at through, first, political accommodation and reconciliation and, secondly, equal margins of security.

Israel will continue its endeavours to attain full and comprehensive peace with all its neighbours. At the same time, Israel will continue to advocate direct negotiations, as they are being conducted now, as the only way to deal with arms control in the region. That includes the nuclear issue, which will be dealt with in due course in the appropriate forum within the multilateral talks.

As the Secretary-General has underlined, the nuclear issue should be dealt with, not in a political vacuum, but in the context of peace, once outstanding problems have been solved. Hence, the primacy of peace must be given due acknowledgement. The peace process in all its facets deserves the support and encouragement of the international community, especially at this moment.

At its forty-eighth session the General Assembly reacted to the new reality of the Middle East by beginning to change obsolete resolutions. This item should not have been on the agenda at all, and its inclusion again this year in a "moderate version" takes us back to the days when the Arab-Israeli conflict dominated the region of the Middle East. Hence, we strongly urge the members of the Committee to cast a negative vote on this draft resolution, which will naturally constitute a vote in favour of the ongoing peace process.

Sir Michael Weston (United Kingdom): I am speaking on behalf of the Russian Federation, the United States and the United Kingdom, co-depositaries of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), to explain why we shall be voting against the draft resolution contained in document A/C.1/49/L.28, entitled "1995 Review and Extension Conference of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons".

We shall do so because the question of background documentation for a conference of States parties to a treaty, like the question of legal interpretations of particular provisions of that treaty, is a matter solely for the States parties to the treaty, not the United Nations General Assembly. It is therefore inappropriate for this Committee to adopt a resolution calling upon States parties to the NPT to provide their legal interpretations of article X, paragraph 2, of the NPT and their views on the different options and actions available, for compilation by the Secretary-General as a background document for the 1995 Review Conference on the NPT.

The proper forum in which to address these issues is the Preparatory Committee for the 1995 Conference. The question of background documentation for that Conference has already been under active consideration at the earlier meetings of the Preparatory Committee, and it is due to be discussed again at the fourth meeting, to be held here in New York in January. Indeed, at the third meeting of the Preparatory Committee, over which Nigeria presided and where Nigeria proposed background documentation on article X, paragraph 2, this issue was deferred by consensus to the fourth meeting. The draft resolution contained in document A/C.1/49/L.28 is an inappropriate

attempt to bypass the preparatory process for the 1995 Conference.

For these reasons we advised the sponsors of this draft resolution not to submit it in this forum. When they did so, we proposed a number of amendments which would have made it clear that it was for the NPT States parties themselves to take decisions about the background documentation for their Conference. The amendments would also have brought greater balance to the preambular section of the draft resolution in terms of the objectives of the Treaty and would have removed the potential ambiguity in the present drafting of the sixth preambular paragraph by making it clear that the only options available for the extension decision are those provided for in article X, paragraph 2, of the Treaty.

We very much regret that the sponsors declined to accept any of these proposed amendments. We therefore see no option but to vote against draft resolution A/C.1/49/L.28 in its entirety. We urge other States parties to the NPT to vote against it as well.

Mr. Amar (Morocco) (*interpretation from French*): The delegation of Morocco fully supports the proposal by the representative of Senegal that action on draft resolution A/C.1/49/L.36, "Request for an advisory opinion from the International Court of Justice on the legality of the threat or use of nuclear weapons", be deferred so that broader consultation will be possible.

Mr. Whannou (Benin) (*interpretation from French*): We join the delegation of Morocco in supporting the proposal that the Committee defer its decision on draft resolution A/C.1/49/L.36.

Mr. Ledogar (United States of America): The United States will vote against draft resolution A/C.1/49/L.36, by which the General Assembly would request an advisory opinion from the International Court of Justice on the legality of the threat or use of nuclear weapons. In our view, it would be inappropriate to ask the Court for an advisory opinion on such an abstract, hypothetical and essentially political matter. Further, a legal opinion would have no practical effect.

Successes achieved over the years in limiting and banning weapons have resulted from the negotiation of treaties. The draft resolution would not contribute to further arms agreements on nuclear weapons.

The spokesman for the sponsors recognized this fact last year in a statement in the First Committee, in which he welcomed

> "the broadening and deepening of the dimensions of disarmament"

and explained that the Non-Aligned Movement would not press for a vote

> "in order to preserve the momentum and progress generated by these initiatives".

Given this view, it is even harder to fathom the purpose of a draft resolution requesting such an opinion from the International Court of Justice this year, when further steps to control and eliminate nuclear weapons are being taken, negotiated or contemplated.

The United States therefore urges States to abstain or vote "No" on this draft resolution. It prefers to see energy and attention devoted instead to achieving concrete results in the area of arms control and disarmament.

The Chairman: Some delegations have requested the postponement of action on draft resolution A/C.1/49/L.36.

Mr. Arnhold (Germany): I should like to make two statements — one on draft resolution A/C.1/49/L.28 and one on draft resolution A/C.1/49/L.21.

I shall start with draft resolution A/C.1/49/L.28. On behalf of the European Union and the applicant countries, I wish to explain why we shall be voting against this draft resolution, which is entitled "1995 Review and Extension Conference of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons". In the draft resolution States parties are invited to provide their legal interpretations of article X, paragraph 2, of the Treaty for compilation by the Secretary-General as a background document for the 1995 Conference.

It is not appropriate for the General Assembly to adopt such a resolution, as the question of background documentation for the Conference of States parties is a matter solely for those States, as is the question of the legal interpretation of certain provisions of the Treaty.

We believe that the proper place in which to address these issues is the Preparatory Committee for the 1995 Conference, rather than the First Committee. We regret that the sponsors of draft resolution A/C.1/49/L.28 decided

to submit their draft in this forum despite the fact that it had been agreed by consensus at the third meeting of the Preparatory Committee that this matter would be pursued at the forthcoming meeting of that body.

I should like now to make a statement before the voting on draft resolution A/C.1/49/L.21. Traditionally, draft resolutions dealing with the implementation of the guidelines for appropriate types of confidence-building measures have been adopted without a vote.

The purpose of previous draft resolutions on this subject has always been to welcome the implementation of confidence-building measures effected at any level and to encourage Member States to continue such action whenever appropriate.

We much regret that this year, for the first time ever, a vote on this topic has been requested. This is regrettable, particularly since the sponsors of draft resolution A/C.1/49/L.21 feel that the goal of this year's draft resolution is not different from that of previous years. The only difference is to be found in some language that takes into account the fact that in different regions, such as Africa, Asia and Europe, activities are taking place to prevent conflicts and to settle conflicts peacefully in order to contribute to peace-making and peace-building.

In this draft resolution all those involved in such activities — individual Member States, regions and the international community as a whole — are encouraged to take advantage of confidence-building measures, as political means, whenever appropriate. This is the purpose of the draft resolution, which was certainly not intended to prejudge, with any wording, ongoing activities in other forums.

Mr. Fasehun (Nigeria): The position of the Nigerian delegation and of other sponsors of draft resolution A/C.1/49/L.28 is informed by our desire to improve the preparatory process in respect of the 1995 Review and Extension Conference of the States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

The United Nations Secretariat became involved in the preparatory process through a resolution whose draft was approved by the First Committee about two years ago. We saw the draft resolution then as a mandate for the Secretariat to service the 1995 NPT Review and Extension Conference.

What we propose is no more than a request to the various Member States that are parties to the NPT to submit to the Secretariat their legal interpretations of article X, paragraph 2, for compilation by the Secretary-General. We believe that such interpretations are important to correct what we see as the prevailing tendentious interpretation.

Sir Michael Weston (United Kingdom): I wish to inquire whether, within the terms of rule 128, it is appropriate for a member putting forward a proposal to explain his vote on his own proposal. My understanding was that we had reached the stage of explaining our votes and were not making statements before the voting or introducing draft resolutions. My belief is that the statement we have just heard was out of order and should be struck from the record.

Mr. Marín Bosch (Mexico) *(interpretation from Spanish):* Mr. Chairman, you no doubt permitted the representative of Nigeria to make his statement in the light of the precedent set by the representative of Germany with his reference to his own draft resolution (A/C.1/49/L.21).

Mr. Gajda (Hungary): Very briefly, on behalf of Hungary, an associate member of the European Union, I should like to associate my delegation fully with the statement by the representative of Germany concerning the position of members of the European Union and applicant States regarding draft resolution A/C.1/49/L.28.

The Chairman: The Committee will now proceed to take action on the draft resolutions to which I have referred: draft resolutions A/C.1/49/L.11/Rev.1, L.28, L.31, L.21, L.7/Rev.1 and L.49/Rev.1. I would recall that action on draft resolution A/C.1/49/L.36 has been postponed.

Mr. Marín Bosch (Mexico) *(interpretation from Spanish):* At the start of the meeting this morning, Mr. Chairman, you indicated that we would take action on a number of draft resolutions. In the course of our discussions this morning some delegations suggested postponing action on draft resolution A/C.1/49/L.36. Does this mean that action is being postponed until this afternoon's meeting? Will it be put off until tomorrow? What is meant by "postponement"?

The Chairman *(interpretation from Spanish):* A number of delegations proposed the postponement of action on draft resolution A/C.1/49/L.36. It would be my hope that this draft resolution could be voted upon during this

afternoon's meeting, if we have an afternoon meeting, or at tomorrow morning's meeting. Of course, I hope that the delegations concerned will be kind enough to indicate whether draft resolution A/C.1/49/L.36 will be ready to be voted on and that it is not necessary to continue the consultations to which delegations have referred.

Is this explanation satisfactory to the representative of Mexico?

Mr. Marín Bosch (Mexico) *(interpretation from Spanish)*: It is satisfactory, Sir. The only thing I do not know is where these consultations are taking place.

The Chairman *(interpretation from Spanish)*: It is my understanding that interested delegations will know where the consultations are taking place.

Mr. Wiranataatmadja (Indonesia): I fully share your interpretation of this postponement issue, Mr. Chairman: we are going to vote on draft resolution A/C.1/49/L.36 at a later stage.

Mr. Larrain (Chile) *(interpretation from Spanish)*: On behalf of the sponsors of draft resolution A/C.1/49/L.7/Rev.1, "Expansion of the membership of the Conference on Disarmament", under agenda item 64 (b), I wish to propose, first, the deletion of the last preambular paragraph, the tenth.

Secondly, I propose the insertion of the following new operative paragraph 1:

> "1. *Recognizes* the legitimate aspirations of the candidate countries to participate fully in the work of the Conference on Disarmament".

As a result, the current operative paragraphs 1 and 2 should be renumbered 2 and 3 respectively.

Finally, I propose the insertion, at the end of the new operative paragraph 2, of the following:

> ", as well as the report of the Conference on Disarmament on its 1994 session;".

The new operative paragraph 2 would then read:

> "2. *Recalls* the report of 12 August 1993 of the Special Coordinator for membership designated by the Conference on Disarmament and the subsequent statement made by the Special Coordinator on 23 August 1993, recommending a dynamic solution to the question of membership, as well as the report of the Conference on Disarmament on its 1994 session".

The sponsors of the draft resolution trust that, with the amendments just indicated, it will be possible for the Committee to adopt it without a vote.

Mrs. Londoño Jaramillo (Colombia) *(interpretation from Spanish)*: I wish to refer to draft resolution A/C.1/49/L.21, on implementation of the guidelines for appropriate types of confidence-building measures.

The implementation of confidence-building measures in relations with other States has been of constant concern to Colombia because we see it as a mechanism for creating favourable conditions for the peaceful settlement of conflicts. A climate of confidence is established on the basis of adherence to and respect for international law. This is reflected in document A/49/210 of 1 July 1994.

We support the sovereign efforts of every country and area to promote peace in their respective regions. However, a number of aspects of draft resolution A/C.1/49/L.21 fail to take account of the fragile and precarious balance that was struck in the negotiations on resolutions 47/120 A and 47/120 B. In this respect, it is important to bear in mind the evolving nature of recent achievements and the acknowledgment that confidence-building measures in their various forms need to be seen in the context of certain guiding principles, such as sovereign equality, the political independence and territorial integrity of States and non-interference in their internal affairs.

We would have preferred not to have the seventh preambular paragraph link prevention with the peaceful settlement of conflicts. Although the United Nations Charter embodies some of these ideas, others are more recent and remain the subject of discussion in other General Assembly bodies.

The tenth preambular paragraph, similarly, gives equal weight to different criteria and is not in accord with the resolutions referred to earlier.

Furthermore, operative paragraph 5 fails to reflect the evolution of the new concepts and the fact that each situation in which it is possible to implement peace-building measures is different from all others. It also introduces elements that require the participation of third parties, without giving proper weight to the specific nature of each situation.

Colombia will therefore abstain in the voting on draft resolution A/C.1/49/L.21.

Mr. Rivero Rosario (Cuba) (*interpretation from Spanish*): My delegation also wishes to refer to draft resolution A/C.1/49/L.21, entitled "Implementation of the guidelines for appropriate types of confidence-building measures".

My delegation has carefully and attentively analysed the draft resolution sponsored by Germany and other countries on this question. In the past the Cuban delegation participated in discussions that led to the successful adoption of the guidelines on confidence-building measures and it joined the consensus in that regard. Similarly, in the framework of the General Assembly and the First Committee, it participated in the discussions, and supported draft resolutions, on the question of confidence building and the implementation of measures to that end.

It is our delegation's view, as reflected in respective documents on confidence-building measures, that, *inter alia*, confidence-building measures vary. They can be of a political, military, economic or other nature. But, while keeping in mind certain principles in their implementation, my delegation values some in particular, such as the desire of States to participate in such measures and unwavering respect for the sovereignty of States. In this case, there must also be consent on the part of the State concerned.

Despite the efforts that have been made — and my delegation acknowledges the full readiness of the German delegation, on behalf of the sponsors, to cooperate — my delegation regrets that it has not been possible to arrive at a solution that would take into account the points of view of various delegations, including my own, concerning the seventh preambular paragraph, in which the General Assembly would welcome the establishment of regional mechanisms, institutions or forums entrusted with the prevention and peaceful settlement of conflicts. In other words, this applies to concepts of preventive diplomacy.

The Cuban delegation recognizes the existence of such mechanisms in certain regions, and we are familiar in particular with the experience of the Conference on Security and Cooperation in Europe. We know that the countries of that region have taken such decisions of their free will, and we wish them every success in their endeavours. However, as formulated in the draft resolution under consideration, the United Nations would be extending an invitation to that kind of mechanism or forum, and my delegation believes that this position should arise from the sovereign free expression of the will of the countries of each region and should not be implemented at the invitation of the world Organization.

My delegation also has certain difficulties with this draft resolution in relation to the eleventh preambular paragraph and operative paragraph 5, in which confidence-building measures are linked to new and evolving concepts such as peace-keeping, peace-building and others. As everyone knows, negotiations are currently under way in the Fourth Committee on this question and have yet to be concluded. Furthermore, discussions on this matter have taken place on the initiative of certain countries in the plenary. My delegation would have preferred not to see these elements included here, but unfortunately we could reach no accommodation. That is why my delegation will also abstain in the voting on this draft resolution when it is put to the vote.

Mr. Chandra (India): My delegation wishes to explain its vote before the voting on draft resolution A/C.1/49/L.21, entitled "Implementation of the guidelines for appropriate types of confidence-building measures".

We attach great importance to confidence-building measures and would have very much liked to be able to support the draft resolution on this issue. We have, unfortunately, been deprived of the opportunity to do so, as our suggestions for making the draft resolution more meaningful were not taken on board.

In our view, a major shortcoming in this draft resolution, in operative paragraph 2, is its failure to acknowledge that confidence-building measures should be on the basis of initiatives and with the agreement and cooperation of the States of the region concerned. This was done in resolution 47/54 D, which was adopted by consensus, but it has not been done in this draft resolution.

My delegation also fully subscribes to the views expressed by the representatives of Cuba and Colombia, in particular with regard to operative paragraph 5, which brings in the concept of external involvement in regional problems and issues, which is not acceptable to us. Accordingly, we will be constrained to abstain on this draft resolution.

Mr. Fouathia (Algeria) (*interpretation from French*): My delegation wishes to explain its vote before the Committee takes action on draft resolution A/C.1/49/L.21, entitled "Implementation of the guidelines for appropriate

types of confidence-building measures". We attach great importance to this question. We have always subscribed to similar draft resolutions at previous sessions. Unfortunately, we shall not be in a position to support this draft resolution this year. My delegation will therefore abstain. We take the view that it is not appropriate to present the draft resolution in its present version. Similarly, we believe that the conceptual approach adopted this year by the sponsors in the preparation of this draft resolution does not respond at this point to the concerns expressed by many delegations in the debates on this issue. We would therefore have liked to see more in-depth consultations on this draft resolution so that everyone could assess the progress made in the United Nations work on this important issue. We would have liked the sponsors to be aware of the unresolved problems in order to make the concepts that are being put forward in this draft resolution acceptable.

As we see it, this draft resolution tends to prejudge the result of the work now going on and goes beyond the resolutions adopted by the General Assembly on this question, including resolution 47/720 B. In our view, it would have been better to await the outcome of the work of other bodies addressing this issue before taking any such initiative within this Committee, including concepts that are still being elaborated. As a result of the failure to take account of the various concerns, my delegation will unfortunately not be in a position this year to lend its support to the draft resolution.

Mr. Eltinay (Sudan) (*interpretation from Arabic*): My delegation fully supports any initiative aimed at introducing confidence-building measures in all regions, particularly in our region, since it is among those suffering from conflict. Sudan has taken a number of initiatives and done its utmost to strengthen confidence, particularly with respect to the domestic problems caused by the conflict imposed on my country for 40 years now. A Committee made up of a number of African Heads of State has been striving to solve these problems. Despite all the efforts Sudan has made, despite the efforts of the sponsors of draft resolution A/C.1/49/L.21, and despite our attempt to ensure the adoption of this draft resolution without a vote, as happened last year, my delegation has difficulty in supporting the draft resolution, since certain elements in operative paragraph 5 open the door to third parties' intervening in regional questions. Therefore, my delegation, consistent with this position, will abstain in the vote on this draft resolution.

The Chairman: We shall now take action on draft resolution A/C.1/49/L.11/Rev.1. I call on the Secretary of the Committee.

Mr. Kheradi (Secretary of the Committee): Draft resolution A/C.1/49/L.11/Rev.1, entitled "The risk of nuclear proliferation in the Middle East", was introduced by the representative of Egypt at the 16th meeting of the Committee, on 9 November 1994, and it is sponsored by the following countries: Egypt, Indonesia, Jordan, Kuwait, Malaysia, Saudi Arabia, Yemen, Mauritania and Djibouti.

The Chairman: The Committee will now take a decision on draft resolution A/C.1/49/L.11/Rev.1. A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Azerbaijan, Bahrain, Bangladesh, Benin, Bhutan, Botswana, Brunei Darussalam, Burundi, China, Colombia, Cuba, Democratic People's Republic of Korea, Djibouti, Ecuador, Egypt, Guatemala, Guinea, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Namibia, Niger, Pakistan, Paraguay, Philippines, Republic of Korea, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zimbabwe

Against:

Argentina, Israel, Marshall Islands, Micronesia (Federated States of), United States of America

Abstaining:

Albania, Andorra, Antigua and Barbuda, Armenia, Australia, Austria, Bahamas, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Chile, Costa Rica, Côte d'Ivoire, Cyprus, Czech Republic, Denmark, Dominica, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guyana, Haiti, Honduras, Hungary, Iceland, India, Ireland, Italy, Japan, Kazakhstan, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Papua New Guinea, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian

Federation, Samoa, San Marino, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Tajikistan, The Former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay

Draft resolution A/C.1/49/L.11/Rev.1 was adopted by 55 votes to 5, with 82 abstentions.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/49/L.28. I call on the Secretary of the Committee.

Mr. Kheradi (Secretary of the Committee): Draft resolution A/C.1/49/L.28, entitled "1995 Review and Extension Conference of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons", was introduced by the representative of Nigeria at the 14th meeting of the Committee on 7 November 1994 and is sponsored by the following countries: Indonesia, Mexico, Namibia, Nigeria, United Republic of Tanzania, Zambia and Zimbabwe.

In connection with draft resolution A/C.1/49/L.28, I should like to read into the record the following statement on behalf of the Secretary-General of the United Nations:

"By draft resolution A/C.1/49/L.28 the General Assembly would invite States parties to provide the legal interpretations of article X, paragraph 2, and their views on the different options and actions available for compilation by the Secretary-General as a background document of the 1995 Review and Extension Conference of States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) well before the holding of that Conference. It should be noted that the 1995 NPT Conference is a Conference of the States Parties to that Treaty. As was the case with previous such conferences, the draft rules of procedure of the Conference presently under consideration by the States Parties include arrangements for meeting the costs of the Conference. Under those arrangements, no additional cost is borne by the regular budget of the Organization. Accordingly, the Secretary-General considers that his mandate under the draft resolution to compile a background document has no financial implications for the regular budget of the United Nations and that the associated costs would be met in accordance with the financial arrangements to be made by the 1995 Conference. Furthermore, all activities related to international conventions or treaties, and under their respective legal instruments, are to be financed outside the regular budget of the United Nations. They may only be undertaken when sufficient resources to cover the activities in question have been received from the States Parties in advance."

The Chairman: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, China, Colombia, Costa Rica, Cyprus, Democratic People's Republic of Korea, Ecuador, El Salvador, Ethiopia, Fiji, Ghana, Guatemala, Guinea, Haiti, Honduras, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Swaziland, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Austria, Belgium, Bulgaria, Canada, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Tajikistan, The Former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Argentina, Armenia, Australia, Azerbaijan, Bahamas, Belarus, Brazil, Cambodia, Cameroon, Chile, Côte d'Ivoire, Cuba, Djibouti, Dominica, Egypt, Guyana, India, Israel, Japan, Kazakhstan, Kyrgyzstan, Lebanon, Marshall Islands, Micronesia (Federated States of), New Zealand, Papua New Guinea,

Republic of Korea, Samoa, San Marino, Suriname, Syrian Arab Republic, Ukraine

Draft resolution A/C.1/49/L.28 was adopted by 77 votes to 39, with 32 abstentions.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/49/L.31. I call on the Secretary of the Committee.

Mr. Kheradi (Secretary of the Committee): Draft resolution A/C.1/49/L.31, entitled "Convention on the Prohibition of the Use of Nuclear Weapons", was introduced by the representative of India at the Committee's 14th meeting on 7 November 1994 and is sponsored by the following countries: Bangladesh, Bhutan, Bolivia, Colombia, Costa Rica, Democratic People's Republic of Korea, Ecuador, Egypt, Ethiopia, Haiti, Honduras, India, Indonesia, Lao People's Democratic Republic, Madagascar, Malaysia, Mexico, Myanmar, Sudan and Viet Nam.

The Chairman: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Azerbaijan, Bahamas, Bahrain, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominica, Ecuador, Egypt, El Salvador, Ethiopia, Gabon, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Iraq, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Andorra, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Argentina, Armenia, Australia, Austria, Belarus, Bulgaria, Estonia, Fiji, Georgia, Ireland, Israel, Japan, Kazakhstan, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Malta, Marshall Islands, Micronesia (Federated States of), New Zealand, Republic of Korea, Republic of Moldova, Russian Federation, Samoa, Slovenia, Sweden, Tajikistan, The Former Yugoslav Republic of Macedonia, Ukraine

Draft resolution A/C.1/49/L.31 was adopted by 98 votes to 23, with 31 abstentions.

The Chairman: The Committee will now proceed to take action on draft resolution A/C.1/49/L.21. I call on the Secretary of the Committee.

Mr. Kheradi (Secretary of the Committee): Draft resolution A/C.1/49/L.21, entitled "Implementation of the guidelines for appropriate types of confidence-building measures", was introduced by the representative of Germany at the Committee's 16th meeting, on 9 November 1994, and is sponsored by the following countries: Albania, Argentina, Armenia, Australia, Austria, Belarus, Belgium, Bulgaria, Cameroon, Canada, Chile, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Kenya, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Spain, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

The Chairman: A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Belarus, Belgium, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Costa

Rica, Côte d'Ivoire, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Latvia, Lebanon, Liechtenstein, Lithuania, Luxembourg, Madagascar, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Micronesia (Federated States of), Mongolia, Morocco, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Samoa, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, Thailand, The Former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Algeria, Burkina Faso, Colombia, Cuba, Democratic People's Republic of Korea, Ecuador, India, Libyan Arab Jamahiriya, Malaysia, Mexico, Myanmar, Nepal, Nigeria, Sri Lanka, Sudan, Venezuela

Draft resolution A/C.1/49/L.21 was adopted by 132 votes to none, with 16 abstentions.

The Chairman: We shall now proceed to take action on draft resolution A/C.1/49/L.7/Rev.1, as orally amended this morning by the representative of Chile.

Mr. Kheradi (Secretary of the Committee): Draft resolution A/C.1/49/L.7/Rev.1, as orally amended by Chile, was introduced by the representative of Chile at the Committee's 16th meeting, on 9 November 1994, and was sponsored by the following countries: Austria, Bangladesh, Belarus, Cameroon, Chile, Colombia, the Democratic People's Republic of Korea, Finland, Iraq, New Zealand, Norway, the Republic of Korea, Senegal, Slovakia, South Africa, Spain, the Syrian Arab Republic, Turkey, Ukraine, Viet Nam, Zimbabwe, Israel and Sierra Leone.

The Chairman: The sponsors of the draft resolution have expressed the wish that it be adopted by the Committee without a vote.

Draft resolution A/C.1/49/L.7/Rev.1, as orally amended, was adopted.

The Chairman: We shall now proceed to take action on draft resolution A/C.1/49/L.49/Rev.1. I call on the Secretary of the Committee.

Mr. Kheradi (Secretary of the Committee): Draft resolution A/C.1/49/L.49/Rev.1, entitled "Rationalization of the work and reform of the agenda of the First Committee", was introduced by the Chairman of the First Committee at the Committee's 22nd meeting, on 17 November 1994, and was sponsored by the following countries: Austria, Ecuador, Japan and South Africa. In connection with this draft resolution, I should like to read into the record the following statement on behalf of the Secretariat:

> "Under the terms of draft resolution A/C.1/49/L.49/Rev.1, the General Assembly would *inter alia* urge the Secretary-General from within existing resources to allocate appropriate support and a high proportion of available conference space to the First Committee for its fiftieth session to enable it adequately to implement its work programme. In this connection, it should be noted that there are five large and two small conference rooms with the required space for formal and informal meetings of the six Main Committees. As in the past, the Secretariat would endeavour to allocate the existing space and resources to all the Main Committees on a shared basis."

The Chairman: The sponsors of this draft resolution have expressed the wish that the draft resolution be adopted by the Committee without a vote.

Draft resolution A/C.1/49/L.49/Rev.1 was adopted.

The Chairman: We have completed taking action on those draft resolutions that were scheduled for this morning.

The meeting rose at 12.50 p.m.